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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

SCHUPP ET AL.

APPLICATION NO: 10/042,665

FILED: JANUARY 9, 2002

FOR: RIFAMYCIN BIOSYNTHESIS GENE CLUSTER

MS: Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Sir:

Responsive to the outstanding action dated July 6, 2004, in the above-identified application, having a period for response set to expire October 6, 2004, Applicant respectfully requests the following amendments be entered and the claims considered in light thereof.